

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE LICENSING ACT 2003 SUB-COMMITTEE

18 JUNE 2015

SUBJECT:	APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003
WARD AFFECTED:	OXTON WARD
REPORT OF:	STRATEGIC DIRECTOR OF REGENERATION & ENVIRONMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to consider an application for a Premises Licence under the provisions of the Licensing Act 2003. The application is made by **Home Made Food and Drink Limited** and relates to the premises known as **Home Made Food and Drink, 58 Christchurch Road, Oxton.**

2.0 BACKGROUND AND KEY ISSUES

- 2.1 These premises do not have a Premises Licence.

3.0 APPLICATION

- 3.1 The application for a Premises Licence, as amended following discussions with Merseyside Police, is as follows:

Sale by Retail of Alcohol

Sunday to Saturday 11:00 to 23:00

The applicant has indicated that the sale of alcohol will be for consumption on and off the premises.

Hours Open to the Public

Sunday to Saturday 10:00 to 23:00

- 3.2 Members should note that following discussions with Merseyside Police, the applicant agreed to reduce the hours originally requested for the supply of alcohol from 10:00 - 00:00 and the hours open to the public from 10:00 - 00:00 to the hours stated above.
- 3.3 During the discussions with Merseyside Police, the applicant also agreed to amend the application to include the following conditions in the Operating Schedule:

- Food must be available at all time when the premises are open to the public.
 - No draught lager/beer must be available at the premises, with the exception of Cask Ales.
 - Alcohol must not be consumed in the rear yard.
 - CCTV must be installed at the premises in the form of a recordable system capable of providing pictures of evidential quality and all lighting conditions particularly facial recognition. Cameras must encompass all ingress and egress to the premises and all areas where the sale and supply of alcohol occurs. Equipment must be maintained in good working order and correctly time and date stamped.
 - CCTV recordings must be kept for a period of 31 days and handed to the Police on request.
 - The CCTV recording equipment must be kept in a secure environment under control of the Premises Licence Holder or other responsible named individual.
 - Notices must be displayed informing customers that CCTV is in operation.
- 3.4 The applicant has also removed the request for Recorded Music due to recent changes in legislation which exempts these premises from requiring this on the Premises Licence.

4.0 PROMOTION OF LICENSING OBJECTIVES

- 4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application is available. Amendments to the operating schedule can be found at paragraph 3.3 of this report.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule may become conditions of licence should the application be granted.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following representations have been received in respect of the above application.

Local Residents

In respect of this application, 14 representations have been received from Local Residents which refer to the cumulative impact of an additional premises selling alcohol in Oxtan Village. The representations also relate to public nuisance and anti-social behaviour which it is considered will be caused by customers of the premises if the application is granted. Copies of the representations are available.

A representation has also been received from Councillor Alan Brighthouse, Oxtun Ward Councillor. The representation supports the concerns expressed by local residents. A copy of the representation is available.

- 5.2 There have been no representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board
Trading Standards
Planning Authority
Fire Authority
Environmental Health
Licensing Authority
Merseyside Police
Public Health

6.0 RELEVANT RISKS

- 6.1 There are none arising directly from this report.

7.0 OTHER OPTIONS CONSIDERED

- 7.1 There is no provision for other options to be considered.

8.0 CONSULTATION

- 8.1 Statutory consultation has been undertaken in respect of this application.

9.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

- 9.1 There are no previously approved actions outstanding.

10.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 10.1 There are no specific implications arising from this report.

11.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 11.1 There are no specific implications arising from this report.

12.0 LEGAL IMPLICATIONS

- 12.1 A decision of this Committee can be subject to Appeal.

13.0 EQUALITIES IMPLICATIONS

- 13.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

14.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

14.1 There are no specific implications arising from this report.

15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

15.1 There are no Planning implications arising from this report.

16.0 RECOMMENDATIONS

16.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for a Premises Licence in respect of the above premises.

17.0 REASONS FOR RECOMMENDATIONS

17.1 It is a statutory requirement for this Committee to determine the application due to relevant representations received.

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APPENDICES

- None

BACKGROUND PAPERS/REFERENCE MATERIAL

- None

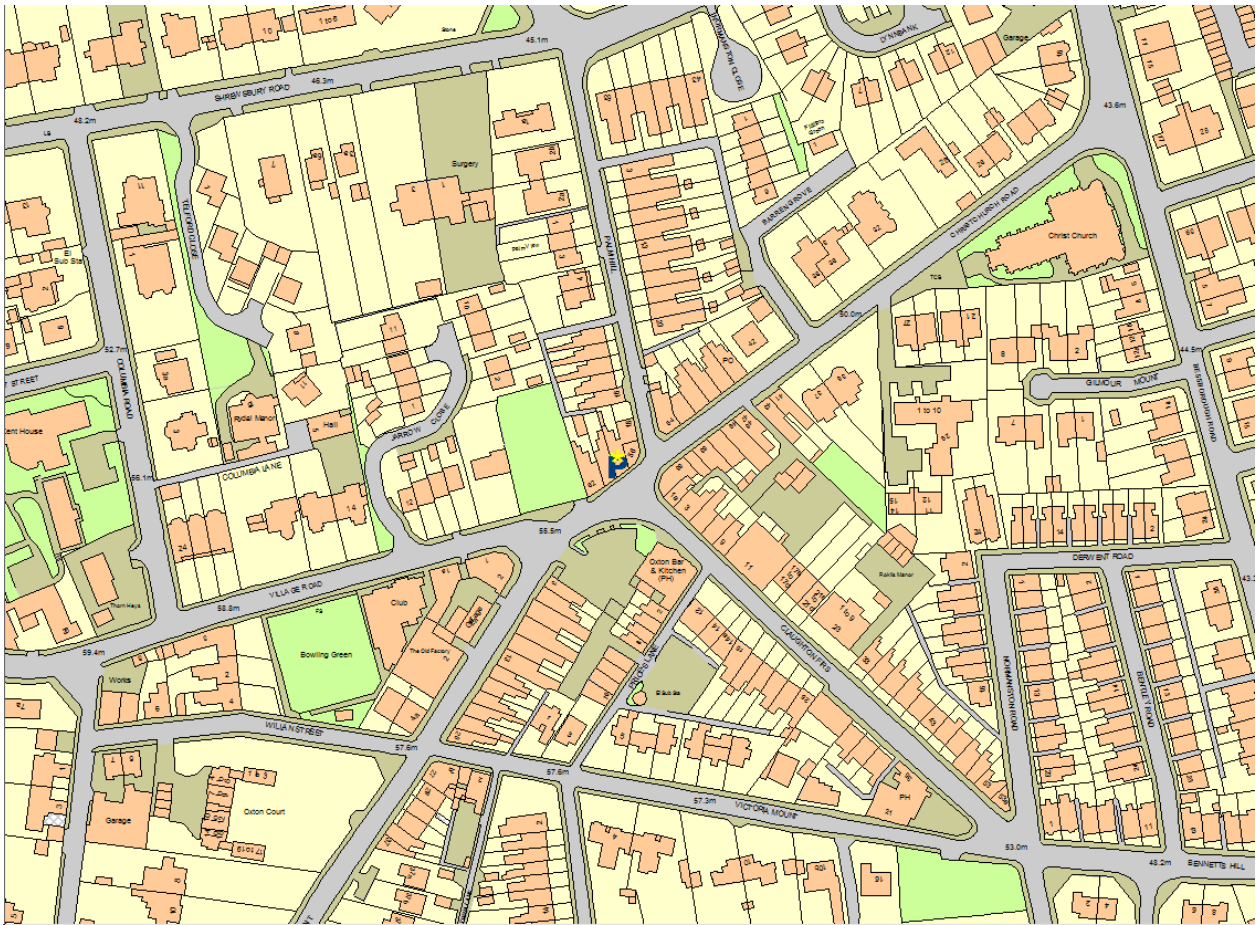
BRIEFING NOTES HISTORY

- None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Location plan of Premises



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